

**U.S. Serial No. 09/533,842**  
**Response to the Office action of August 26, 2004**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**The Status of the Claims**

1. (Currently Amended): A method of adapting broadcast content in the process of being broadcast to an audience, comprising:

receiving the broadcast content at a local device proximate a display on which the broadcast content is to be displayed to a recipient, the broadcast content including a broadcast advertisement having a first length;

generating a locally produced selection factor at the local device, wherein the locally produced selection factor corresponds to the recipient of the broadcast content and is based on information relating to the recipient; and

adapting the broadcast content according to the locally produced selection factor by replacing a portion of the broadcast advertisement with an advertising segment having a second length shorter than the first length.

2. (Original): The method according to claim 1, further comprising:

synchronizing the adapted broadcast content with other broadcast content being broadcast to the recipient.

3. (Original): The method according to claim 1, further comprising: gathering information relating to a recipient of the broadcast content; and

utilizing the gathered information relating to the recipient to generate the selection factor.

4. (Original): The method according to claim 3,  
said gathering including tracking content selected by the recipient.

5. (Original): The method according to claim 3,  
said gathering including inputting information from a database.

6. (Original): The method according to claim 3,  
said gathering including inputting information from the recipient via a user interface device.

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7. (Original): The method according to claim 1,  
said adapting including selecting a content segment according to the selection factor.
8. (Original): The method according to claim 7, further comprising:  
storing a plurality of selectable content segments in a device local to the recipient.
9. (Original): The method according to claim 8, further comprising:  
transmitting the plurality of selectable content segments to the local device.
10. (Original): The method according to claim 1,  
said adapting including selecting an entire broadcast content according to the selection factor.
11. (Original): The method according to claim 1,  
said adapting including assembling content from a plurality of broadcast content segments according to the selection factor.
12. (Original): The method according to claim 7,  
said adapting including processing the selected broadcast content segment according to the selection factor.
13. (Original): The method according to claim 1,  
said adapting including processing the broadcast content according to the selection factor.
- 14-20 canceled without prejudice.
21. (Original): The method according to claim 1, wherein the recipient of the broadcast content is an individual.
22. (Original): The method according to claim 22,  
said gathering including gathering an identity of the individual.
23. (Original): The method according to claim 1, wherein the recipient of the broadcast content is a group of individuals.

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24. (Original): The method according to claim 24,  
wherein said gathering including gathering an identity of the group.

25. (Original): The method according to claim 1, further comprising:  
adjusting the selection factor to learn or accommodate changes in the recipient.

26. (Original): The method according to claim 1,  
said selection factor including a plurality of components each of which categorizes the  
recipient,  
said generating utilizing at least one of the categorizations in at least one of the  
components to generate the selection factor.

27. (Original): The method according to claim 5,  
said generating including data mining the database.

28. (Original): The method according to claim 1, wherein the broadcast content is a  
broadcast advertisement and the selection factor is an advertisement selection factor.

29. (Currently Amended): An apparatus for adapting broadcast content that is in  
the process of being broadcast, wherein the broadcast content includes a broadcast  
advertisement having a first length, comprising:

a selection factor generator proximate a display on which the broadcast content is to  
be displayed, the selection factor generator generating a locally produced selection factor  
corresponding to a recipient of the broadcast content;

a storage device storing a plurality of content segments;

a synchronization signal detector;

a selector operatively connected to a broadcast feed, said storage device and said  
selection factor generator,

said selector selecting between the broadcast content including the broadcast  
advertisement having the first length from the broadcast feed and at least one of the plurality  
of content segments from said storage device according to the locally produced selector  
factor, wherein the selector replaces a portion of the broadcast advertisement with an  
advertising segment having a second length shorter than the first length.

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**30. (Original):** The apparatus according to claim 29, wherein the broadcast content has an associated synchronization signal, the apparatus further comprising:

    a synchronization signal detector operatively connected to the broadcast feed and said selector;

    wherein when said synchronization signal detector detects the synchronization signal, said selector selects between the broadcast content from the broadcast feed and at least one of the plurality of content segments from said storage device according to the selection factor.

**31. (Original):** The apparatus according to claim 29, further comprising:

    a selection factor generator operatively connected to said selection factor input of said selector, said selection factor generator generating the selection factor for a recipient of the broadcast content based on information relating to the recipient.

**32. (Original):** The apparatus according to claim 31, further comprising:

    a database of information relating to the recipient operatively connected to said selection factor generator.

    said selection factor generator utilizing said database to generate the selection factor.

**33. (Original):** The apparatus according to claim 31,

    said selection factor generator tracking content selected by the recipient to generate the selection factor.

**34. (Original):** The apparatus according to claim 31, further comprising:

    a recipient interface device;

    said selection factor generator utilizing inputs from the recipient entered via said recipient interface device to generate the selection factor.

**35. (Original):** The apparatus according to claim 29, wherein the broadcast content is a broadcast advertisement and the selection factor is an advertisement selection factor.

**36-39 canceled without prejudice.**

**40. (New):** The method according to claim 1, wherein replacing the portion of the broadcast advertisement with the advertising segment includes determining a time within the

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broadcast advertisement at which the advertising segment should replace the broadcast advertisement.

41. (New): The method according to claim 40, wherein determining the time within the broadcast advertisement includes determining a variable time from the beginning of the broadcast advertisement.

42. (New): The method according to claim 41, wherein the variable time is received in the broadcast content.

43. (New): The method according to claim 41, wherein the variable time is stored with the advertising segment.

44. (New): The method according to claim 41, wherein the variable time is included in the locally produced selection factor.

45. (New): The apparatus according to claim 29, wherein the selector replaces the portion of the broadcast advertisement with the advertising segment by determining a time within the broadcast advertisement at which the advertising segment should replace the broadcast advertisement.

46. (New): The apparatus according to claim 45, wherein determining the time within the broadcast advertisement includes determining a variable time from the beginning of the broadcast advertisement.

47. (New): The apparatus according to claim 46, wherein the variable time is received in the broadcast content.

48. (New): The apparatus according to claim 46, wherein the variable time is stored with the advertising segment.

49. (New): The apparatus according to claim 46, wherein the variable time is included in the locally produced selection factor.